



Protect America's Climbing

**Access Fund
P.O. Box 17010
Boulder, CO 80308**

**Mr. Christopher Winter, Esq.
Executive Director**

Testimony Before the House Natural Resources Committee

**Hearing on H.R. 1380
Protect America's Rock Climbing Act
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My name is Chris Winter, and I am here today on behalf of Access Fund, which represents and advocates for the more than 8 million climbers across the United States. I thank Chairman Tiffany, Ranking Member Neguse, and the rest of the subcommittee members for considering my testimony.

We are honored to be here today to support H.R. 1380—the Protecting America's Rock Climbing Act (or PARC Act)—and we would like to thank Congressmen Curtis and Neguse for leading bipartisan support for this important initiative. [Access Fund](#) is the leading nonprofit advocating for climbers in the United States. We have worked for more than 30 years to ensure that climbers can enjoy safe and sustainable access for climbing, and we also lead our community's efforts to protect and care for the land. Our experiences in wild places inspire us to become champions for conservation and protection of public lands.

We strongly support the PARC Act because it will:

- 1) protect safe and sustainable access for climbers on federal public lands across the country;
- 2) establish consistent, common-sense Wilderness policy that supports the purposes of the Wilderness Act;
- 3) promote economic development and job opportunities in rural communities;
- 4) save taxpayers millions of dollars; and
- 5) ensure ongoing support for new Wilderness and land conservation efforts from the outdoor recreation community.

The PARC Act has also been endorsed by the Outdoor Industry Association, Outdoor Alliance, Outdoor Recreation Roundtable, American Mountain Guides Association, American Alpine Club, REI as well as dozens of small businesses and local conservation organizations around the country. We stand united in support of this bill.

I. Overview of the Protecting America's Rock Climbing Act

Climbing in the United States has a long and distinguished history that includes many of the leading conservationists of our time, including people like David Brower, William O. Douglas, Sally Jewell, and Tommy Caldwell. What started out as a fringe activity enjoyed by a few privileged adventurers has grown into a national pastime, with climbing gyms sprouting up in diverse communities all across the country and the debut of climbing at the most recent Olympics. At last count there are over 8 million climbers in the country, and climbing as a whole contributes at least \$12.5 billion to the economy each year (2019 State of Climbing Report). We are learning more and more every day about the health, social, and economic benefits of spending time outside and wilderness climbing is a key component of this experience.

There are approximately 40,000 crags in the United States—or individual climbing areas—and nearly 60% of those are on federal public lands. Climbers feel a special connection to federal Wilderness areas across the country because they offer some of the most iconic and historic climbing opportunities in the world. Places like El Capitan in Yosemite National Park and the Diamond on Longs Peak in Rocky Mountain National Park draw people from around the world because they offer unmatched opportunities for adventure, recreation, and solitude. The history of climbing in the United States dates back over a century and has played out amongst the mountains and cliffs of the nation's Wilderness areas.

Despite this long history, management of climbing has been inconsistent over the years and across the land management agencies, which has resulted in waste of taxpayer resources, serious threats to climber safety, and unpredictability for rural gateway communities attempting to build their outdoor recreation economies. Over the years, many important climbing management initiatives have been scrapped midway through the process because of confusion and uncertainty. This confusion often relates to the use of fixed anchors in Wilderness areas. Fixed anchors are essential pieces of the climber's safety system that allow adventurers to safely and sustainably access dangerous, vertical terrain. Without fixed anchors, many of the most inspiring places in America—like the walls on El Capitan—would be inaccessible to the American public.

Although federal land managers have allowed climbers and other adventurers to use fixed anchors in Wilderness areas for almost 60 years, we are now facing an unprecedented level of uncertainty and inconsistency. The NPS and U.S. Forest Service have both moved towards implementing a new nationwide prohibition on the use of fixed anchors in Wilderness areas. Under the new system being discussed, all fixed anchors, including all the existing fixed anchors that were lawfully placed over the last 60 years, would be deemed prohibited "installations" and would be managed through an untested and burdensome exceptions process that will result in land managers removing many appropriate, historic fixed anchors and climbing routes (including necessary descent anchors). The uncertainty and inconsistency of Wilderness climbing management are becoming more acute by the day.

The PARC Act, on the other hand, will bring consistency and predictability to climbing management by providing the land management community with clear direction from Congress, especially regarding climbing management within Wilderness areas. And this can be done all while protecting Wilderness character and sensitive resources. It is a simple and elegant solution that will:

- a. Require the Secretaries of Interior and Agriculture to issue national guidance on management of climbing within Wilderness areas;
- b. Clarify that climbing and the placement, use, and maintenance of fixed anchors are allowable, and not prohibited, uses within Wilderness areas;
- c. Preserves the existing authority of land management agencies to regulate climbing to ensure it protects Wilderness characteristics, natural resources, and cultural values; and
- d. Provides for public participation in decisions affecting climbing in Wilderness areas.

We do suggest limited but important technical amendments to the bill. The text of the PARC Act currently references “activities.” The Wilderness Act, however, refers to recreational and historic “uses.” To avoid confusion and to ensure consistency in the terminology, we recommend that references to “activities” in the PARC Act be amended to “uses.” In my written testimony, I have provided more detail on our suggested technical amendments.

If climbing anchors are managed as prohibited uses across the 110 million acres of the Wilderness system, we are going to drive a harmful wedge between the outdoor recreation community and the work to protect public lands and promote conservation. We’re facing the impacts of climate change, economic challenges, funding challenges, and challenges in getting people connected to the outdoors. Now more than ever, we need to grow the coalition of champions for public lands and conservation—not create new impediments to progress. The PARC Act will ensure that climbers and the outdoor recreation community can continue our long history of support for important conservation initiatives and work collaboratively in partnership with the land management community to protect Wilderness character while also allowing for appropriate access to our federal public lands.

II. Introduction to Fixed Anchors and the Historic Nature of Wilderness Climbing in America

Climbers have been exploring the mountains and cliffs of the United States for more than 100 years, and those adventures have inspired many people to become advocates for public lands and conservation. Throughout that history, climbers have depended on fixed anchors to safely ascend and descend dangerous, vertical terrain. We of course use ropes as a critical piece of our safety system, but the ropes themselves are often useless without some way of attaching those ropes to the snow, ice or rock that climbers navigate. Unless the ropes are attached to the mountain, if a climber falls, the ropes will simply fall down with them. If the rope is safely attached to the mountain, however, it can arrest the fall and prevent an injury or fatality.

Thus, fixed anchors are an essential and irreplaceable component of a climber’s safety system. Whenever possible, since the 1970s, climbers use removable protection that is not left behind. But many of the most popular and most well known Wilderness climbing opportunities in America would be inaccessible and unsafe without the use of fixed anchors. Climbers have relied on fixed anchors for many of the most historic ascents in the history of mountaineering, and climbers and guides of today continue to rely on these tools. Climbing and the use of fixed anchors are historic uses that long pre-date the Wilderness Act itself.

Pitons are one type of fixed anchor and consist of a small “pin” of metal that is hammered into a crack in the rock. Pitons are still used today although climbers have also developed more modern equipment, like 3-4” long metal expansion bolts. Both pitons and bolts are very difficult or impossible to see unless you are within a few feet of them, and they are usually invisible to everyone except the climbers who are looking for and using

them. Fixed anchors often enhance the sustainability of outdoor recreation, because they allow people to use more durable surfaces when navigating difficult terrain and because they limit damage to vegetation and erosion that might otherwise result from using trees or other natural features as anchors. And peer-reviewed studies have shown that fixed anchors cause very little if any ecological damage on their own simply by their presence.

Climbers are notoriously compulsive about recording our history, and we have a wealth of knowledge about the historic use of fixed anchors in areas that are now designated as Wilderness areas. A few of those more well-known first ascents are discussed below, but we could discuss many other examples, which are all well documented in climbing guide books, the American Alpine Journal, the publications of regional mountaineering clubs, and other historic publications like the Sierra Club Bulletin.

In 1920, Albert Ellingwood and Barton Hoag climbed Lizard Head Peak in Southwest Colorado using pitons along with their hemp rope and hobnailed boots. Congress designated this area as the Lizard Head Wilderness in 1980, 60 years after this historic climb.

In 1931, Norman Clyde led an ascent of the East Face of Mt. Whitney in California's Sierra Nevada range using pitons. Congress designated this area as the John Muir Wilderness in 1964, more than 30 years after this historic climb.

In 1960, Bob Kamps and David Rearick made the first ascent of the Diamond on Longs Peak in Rocky Mountain National Park using pitons as fixed anchors. Congress designated this area as the Rocky Mountain National Park Wilderness in 2009, 49 years after this historic first ascent.

These three examples begin to paint the picture of the rich history of climbing and mountaineering in this country, and they also show how climbing and use of fixed anchors long predate the Wilderness Act and the designation of Wilderness areas across the country. These are truly historic recreational uses—that Congress was aware of when enacting the Wilderness Act and passing individual Wilderness bills—that have contributed to outdoor legacy and mountain culture that Americans enjoy today.

Finally, it is worth mentioning one more example of the historic nature of climbing and the use of fixed anchors. President Biden recently created the Camp Hale—Continental Divide National Monument to honor the contributions of the 10th Mountain Division. The 10th Mountain Division of course trained at Camp Hale prior to fighting in World War II and developed many of the techniques used today for climbing, skiing, and moving through risky, vertical terrain. The Proclamation designating Camp Hale calls out the “original pitons used to train technical climbing” and then declares them to be “an object of scientific or historic interest in need of protection under 54 U.S.C. 320301.”

In short, the history of climbing and exploration of areas that are now designated as Wilderness contributes to the rich legacy and culture of outdoor adventure in the United States. The PARC Act will help to protect and celebrate this history so that it may inspire future generations of outdoor enthusiasts who will continue to visit and explore and fall in love with these special places.

III. Modern Management of Fixed Anchors in Wilderness Areas

Since the Wilderness Act was passed in 1964, federal agencies have managed climbing and fixed anchors as allowable uses in Wilderness areas around the country with few exceptions. Climbers partner in this

work because we have a strong ethic of caring for the land and minimizing the use of fixed anchors, relying on removable protection whenever possible.

Modern management of climbing in wilderness areas typically involves the following elements:

- a. **The use of power drills in Wilderness areas is strictly prohibited.** All fixed anchors must be placed by hand without the use of motorized equipment. This is a time consuming and laborious process that serves as a natural and effective limitation on the proliferation of fixed anchors.
- b. **Each park unit or district has flexibility in managing fixed anchors so they can tailor their approach to local conditions.** For instance, Yosemite and Rocky Mountain National Parks provide programmatic authorization for the appropriate placement and use of fixed anchors. In some but not all places, prior approval is needed before placing new fixed anchors or replacing aging fixed anchors in Wilderness. Other public land units may manage climbing through a dedicated climbing management plan or have climbing provisions in a comprehensive land use plan.
- c. **Land managers retain authority under the Wilderness Act to close areas to climbing or to limit climbing to protect Wilderness characteristics, natural resources, or cultural values.** For instance, climbers and land managers often partner to implement seasonal closures of climbing areas to protect nesting raptors.
- d. **Individual national park units or U.S. Forest Service districts are encouraged to develop climbing management plans that lay out more detail on how they will manage sustainable climbing access and conserve and protect climbing areas.**
- e. **Climbers often partner with land managers to steward climbing areas and educate the climbing community on low impact practices and access regulations designed to protect Wilderness character and resource values.**

This approach to managing climbing is largely working, especially where collaborative, adaptive management principles are applied. In some places, like Joshua Tree National Park, visitation levels and environmental conditions require more regulation and management as well as public education and active stewardship. In other places, like the Brooks Range in Northern Alaska, Wilderness climbing takes place in extremely remote areas that are difficult for the public to access, requiring a much different approach to climbing management.

Climbing guides rely on fixed anchors in places like Yosemite and Zion National Parks to share the Wilderness climbing experience with their clients. Rural gateway communities like Joshua Tree, California, Moab, Utah, and Estes Park, Colorado depend on visitation to power their local economies and create jobs. And new generations of climbers continue to advocate for new Wilderness areas and the Wilderness Act itself.

Most recently, the climbing community advocated strongly in support of the 2019 John D. Dingell Conservation, Management, and Recreation Act. In that landmark piece of legislation, thanks in large part to the work of Congressman Curtis, Congress designated approximately 663,000 acres of new Wilderness in Emery County, Utah, a place that has been explored by climbers for decades. The Dingell Act states explicitly that the

Wilderness designation does not prohibit the placement, use or maintenance of fixed anchors. Access Fund generated over 7,000 comments in support of the Dingell Act. Currently other proposed Wilderness bills have similar language regarding climbing anchors, such as the CORE Act in Colorado, and the Northwest California Wilderness, Recreation, and Working Forests Act in California. The PARC Act will build on the Wilderness climbing guidance provided by Congress in 2019 with the Dingell Act and provide consistency for future Wilderness proposals.

IV. Land Management Agencies Are Moving Aggressively to Implement a Nationwide Prohibition on Fixed Anchors in Wilderness, Which Threatens the Safety of Climbers Across the Country

Although federal land managers have allowed climbers to use fixed anchors in Wilderness areas since the Act was passed since 1964, the National Park Service and U.S. Forest Service have recently moved towards implementing a nationwide prohibition on fixed anchors as prohibited uses—“installations”—under Section 4(c) of the Act. Under this new approach, all existing and new fixed anchors would be allowed only as exceptions to the generally applicable prohibition and would be strictly regulated by an untested and burdensome exceptions process subject to environmental review, administrative appeal, and litigation by groups that oppose climbing in Wilderness areas. Thus, fixed anchors, the most basic safety equipment relied upon by climbers for primitive recreation for more than a hundred years, would now be generally prohibited in Wilderness areas like other prohibited uses in Section 4(c) such as “temporary roads,” “motor vehicles,” “motorboats,” “landing of aircraft” and “structures.” Moreover, the Park Service, for now, has decided on this course of action without allowing any public notice and comment on how the Wilderness Act should be interpreted and applied and without any nationwide rulemaking process.

Importantly, the climbing community has been collaborating with the National Park Service for decades on management and stewardship of climbing and fixed anchors across the country. These collaborations have been largely focused on the development and implementation of [Director’s Order #41](#), issued in 2013 after public notice and comment, which plainly does not regulate fixed anchors as prohibited installations.¹ At no point since the Wilderness Act was passed in 1964 has the National Park Service managed fixed anchors as prohibited installations as a matter of national policy. The Park Service did not consult with its long-standing partners in the recreation and conservation communities before changing course.

The National Park Service first announced its new interpretation of the Wilderness Act as it was beginning to prepare a new Climbing Management Plan (CMP) for Joshua Tree National Park. On May 10, 2022, before a draft of the new CMP had even been released for public comment, the NPS announced in an [email “Scoping Update”](#) that it had predetermined that fixed anchors are prohibited installations under the

¹ DO41 states that:

Authorization will be required for the placement of new fixed anchors or fixed equipment. Authorization may be required for the replacement or removal of existing fixed anchors or fixed equipment. The **authorization process to be followed will be established at the park level and will be based on a consideration of resource issues (including the wilderness resource) and recreation opportunities.**

DO41, Section 7.2. If the NPS had decided in DO41 that fixed anchors are prohibited installations, this section would have instead referred to a Minimum Requirements Analysis as the authorization process for review of all fixed anchors. DO41 sections that regard prohibited uses, such as invasive species management, all assign the Minimum Requirements Analysis. Indeed, the only mention of an MRA process in DO41 is right after the anchor authorization process discussion and relates only to agency search and rescue operations and not the permitting of fixed anchors for public recreational use.

Wilderness Act. In a public scoping meeting on the Joshua Tree Climbing Management Plan, the National Park Service stated that fixed anchors would be treated as a “prohibited use” akin to “any other kind of machine like that.”² It is extremely unusual for an agency to announce its interpretation of a statute in this way before a draft plan has been released or before formal public comment on that draft or the issue of statutory interpretation. The die had been cast.

Then, on December 23, 2022, the National Park Service published an [Environmental Assessment and Finding of No Significant Impact](#) for a Wilderness and Backcountry Management Plan for the Black Canyon of the Gunnison National Park in Colorado. In the EA/FONSI, the Park Service again stated that it had deemed fixed anchors to be prohibited installations under the Wilderness Act. The Park Service stated that every existing climbing route would be reviewed “as soon as possible” for prohibited fixed anchors. The Park Service did not describe how it would handle existing fixed anchors after this review, raising the specter that it would begin removing this critical safety equipment from historic climbing routes that are still enjoyed by the climbers of today. The Park Service did not invite public comment on how this new exceptions process should be set up and applied, nor did it seek input from partners that had been working collaboratively with the agency for decades on sustainable climbing access in NPS Wilderness areas.

We also understand that the U.S. Forest Service is in the process of preparing nationwide guidance that may treat fixed anchors as prohibited installations. We have yet to hear how the agency proposes to manage all the existing fixed anchors climbers have placed lawfully over the last 60 years at dozens of Wilderness areas across the country.

In response to these developments, on November 29, 2022 Colorado Governor Jared Polis wrote³ to Secretaries Haaland and Vilsack opposing this change in policy.

I understand that the National Park Service and U.S. Forest Service are considering a proposal to prohibit fixed anchors in designated Wilderness as ‘installations.’ I believe this would be a serious mistake, and I urge you to ensure that this does not happen.

* * *

If a prohibition on fixed anchors was implemented, all existing fixed anchors would be prohibited by law unless and until land management agencies determine that they are entitled to a statutory exception under Section 4(c) of the Wilderness Act. The exception process is wasteful and unnecessary because federal agencies already have the authority to successfully manage sustainable climbing in Colorado Wilderness areas.

As Governor Polis notes, a prohibition on fixed anchors is completely unnecessary because federal land management agencies currently have all the legal authority they need to manage climbing effectively in Wilderness areas while protecting Wilderness character. [Why is it necessary to suddenly treat fixed anchors as](#)

² A video recording of the scoping meeting is available [here](#). The comments regarding the prohibition on fixed anchors can be viewed at 1:13.45.

³ November 29, 2022 letter from Governor Polis to Secretaries Halland and Vilsack, found at https://static1.squarespace.com/static/638927954320c12d8056bbbd/t/64054f4f65d36f6d04fe6c56/1678069583277/DOI+_USFS+Fixed+Anchors+Wilderness+Policy+Letter.docx.pdf.

prohibited installations? The NPS and USFS have not identified any gaps in their existing legal authority that they are attempting to address through this change in policy.

Finally, we feel compelled to underscore the serious safety threats for the climbing community that will likely result from a change in policy. Fixed anchors are absolutely essential for the safety of climbers and other adventurers in dangerous terrain and extreme conditions, and if federal land managers start removing existing fixed anchors, as the NPS has said that it intends to do, it will likely lead to injuries or fatalities. These concerns are based on real world experiences, as detailed in a recent story by [NBC news about an accident in North Cascades National Park](#) involving a fixed anchor that had been removed by NPS staff. While we can't know for certain whether this incident was caused directly by the removal of the fixed anchor, it may very well have been a contributing factor, and we feel for the family of the climber who must live with the uncertainty.

Moreover, climbers take it upon themselves to regularly maintain and replace aging fixed anchors, especially on more popular and moderate climbing routes frequented by guides and visiting climbers from around the world. The confusion and uncertainty created by a new nationwide prohibition is likely to interfere with these very important anchor maintenance activities, which will also add to unnecessary safety risks for the climbing community as well as unneeded stress on search and rescue teams and associated resources.

V. The PARC Act Will Protect Climber Safety, Promote Conservation, Save Taxpayer Dollars, and Promote the Outdoor Recreation Economy

The PARC Act, with the amendments we have suggested, will solve this problem for the climbing community, land managers, and the American public. It will likely save lives. It will save money. It will promote collaboration in the stewardship and protection of climbing areas. And it will protect the many small guides, outfitters and other small businesses around the country that are creating living-wage jobs and contributing to the growing outdoor recreation economy.

Importantly, the existing system is working, but land managers need help clarifying how it should be implemented and they need help getting it done. Whatever the policy used, it should not be a “one-size-fits all” solution akin to a national prohibition on fixed anchors: Joshua Tree National Park near Los Angeles is not the same as Wilderness in North Cascades National Park. The national guidance required in H.R. 1380 can provide that clarity. With that policy in place, land managers will be able to focus on developing site-specific climbing management plans that address climbing as allowable uses and that focus on how to manage those uses to protect wilderness characteristics, natural resources, and cultural values. The climbing community is eager to collaborate in that work, and we will help to get it done if we are not forced into a corner to defend the legitimacy of our most basic safety equipment.

All of these factors point to the urgent need for urgent Congressional direction. The PARC Act will set a baseline for the land management and climbing community, it will create the conditions necessary for effective collaboration, it will minimize conflict, and it will ultimately lead to better results for the land and for the American public. We strongly urge this Committee to pass the PARC Act with our suggested amendments, and we are ready to assist in any way we can.

VI. Proposed Technical Amendment to the PARC Act

To provide additional clarity and consistency, we have suggested limited technical amendments to the PARC Act, which are detailed below. Those suggestions include:

- Amend “activities” to “uses” to ensure that the terminology is consistent with the Wilderness Act and clarify that the allowable uses are not “prohibited.”
- Add Section 2(b), which refers to a joint explanatory statement from the Consolidated Appropriations Act, 2021 (Public Law 116—260; 134 Stat. 1185).
- Amend Section 2(c)(2) to change the emergency period to 1 year from 2 years.
- Add Section 2(c)(3) to ensure public notice and comment on the guidance required in Section 2(a)(1).

A BILL

To require the Secretary of Agriculture and the Secretary of the Interior to issue guidance on climbing management in designated wilderness areas, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled

SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting America’s Rock Climbing Act”.

SEC. 2. GUIDANCE ON CLIMBING MANAGEMENT IN DESIGNATED WILDERNESS AREAS.

(a) CLIMBING GUIDANCE REQUIRED.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Secretary concerned shall issue guidance on climbing management in designated wilderness areas that recognizes the appropriateness of the allowable activities described in paragraph (2) in ~~such~~ **the designated wilderness** areas, if the allowable activities are undertaken in accordance with—

- (A) The Wilderness Act (16 U.S.C. 1131 et 13 seq.);
- (B) other applicable laws (including regulations); and
- (C) any terms and conditions that are determined to be necessary by the Secretary concerned.

(2) ALLOWABLE ~~ACTIVITIES~~ **USES**.—The allowable, **and not prohibited, uses** ~~activities~~ referred to in paragraph (1) are—

- (A) recreational climbing;
- (B) the placement, use, and maintenance of fixed anchors; and
- (C) the use of other equipment necessary for recreational climbing.

(b) Forest Service Guidance.— Before finalizing guidance pursuant to the joint explanatory statement for division G (relating to the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2021) described in section 4 of the Consolidated Appropriations Act, 2021 (Public Law 116—260; 134 Stat. 1185), the Secretary of Agriculture shall ensure that such guidance is consistent with subsection (a).

~~(b)~~ (c) PUBLIC NOTICE AND COMMENT.—

(1) REQUIREMENT.—~~Except as provided in paragraph (2),~~ **P**rior to taking any significant management action affecting the allowable ~~activities~~ **uses** described in subsection (a)(2) on the land described in subsection (c)(1)(B), the Secretary concerned shall provide the public with notice and an opportunity to comment on the proposed action.

(2) EXCEPTION WITH RESPECT TO EMERGENCY ACTIONS.—Paragraph (1) shall not apply to an emergency action that has a duration of less than 2 1 years.

(3) Before finalizing guidance relating to climbing management under subsection (a)(1), the Secretary concerned shall provide to the public notice and an opportunity to comment regarding the proposed guidance.

(ed) DEFINITIONS.—In this section:

(1) DESIGNATED WILDERNESS AREA.—The term “designated wilderness area” means an area—

(A) designated as a wilderness area pursuant to the Wilderness Act (16 U.S.C. 1131 et seq.); and
(B) located in—

(i) National Forest System lands; or
(ii) lands under the administrative jurisdiction of the Secretary of the Interior.

(2) EMERGENCY ACTION.—The term “emergency action” means a time sensitive action necessary to protect natural resources or public health and safety.

(3) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) the Secretary of Agriculture, with respect to National Forest System lands; and
(B) the Secretary of the Interior, with respect to lands under the administrative jurisdiction of such Secretary.